

Customer No.: 07278

Docket No.: 02567/100F496-US2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew EISEN

Serial No.: 10/031,893

Art Unit: 1652

Filed: July 19, 2002

Examiner: Richard G. Hutson

**For: DROSOPHILA RECOMBINATION-ASSOCIATED PROTEIN AND METHODS
FOR USE**

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

In order to comply with 37 CFR §§ 1.97 and 1.98, attached hereto is a copy of form PTO/SB/08 and copies of the documents listed thereon.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached form PTO/SB/08) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing form PTO/SB/08 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Supplemental Information Disclosure Statement is submitted in part to bring to the Examiner's attention to differences between the Drosophila Recombination

Associated Protein (DRAP) sequences disclosed in the subject application and the apparent DRAP sequences that have been submitted to Genbank and published as part of the Drosophila Genome Project (DGP). The document listed as item 2 on the attached form PTO/SB/08 includes Genbank entry NM_168014 ("the Genbank entry") which is the published apparent DRAP counterpart sequenced by the DGP. Attached hereto at Tab A is a comparison of the respective nucleic acid and deduced protein sequences of DRAP and the Genbank entry, as determined respectively by the inventor and the DGP. Applicants have noted the following differences between the DRAP nucleotide sequence determined by the inventor the nucleotide sequence of the Genbank entry. (i) The thymidine nucleotide at position 274 of DRAP ("query") of the attached nucleic acid comparison is replaced by a guanine nucleotide at counterpart position of the Genbank entry ("query"); (ii) The DRAP nucleic acid sequence includes a guanine nucleotide at position 566 that has no counterpart in the Genbank entry; and (iii) The Genbank entry includes a guanine nucleotide at position 820 and a thymidine nucleotide at position 1024 respectively that have no counterparts in the DRAP nucleic acid sequence.

The apparent differences between the DRAP and Genbank entry nucleic acid sequences affect the respective deduced protein sequences as follows: (i) Amino acids 1-144 are identical in the deduced DRAP and Genbank entry protein sequences; (ii) The deduced DRAP protein sequence continues for an additional 15 amino acids that have no counterparts in the deduced Genbank entry protein sequence; and (iii) The deduced Genbank entry protein sequence continues for an additional 45 amino acids that have no counterpart in the deduced DRAP protein sequence.

With regard to the apparent differences between the DRAP and Genbank entry sequences, Applicants note that the inventor has sequenced the isolated DRAP clone repeatedly and that the protein encoded by the clone isolated by the inventor and expressed in bacteria exhibits the activities and properties of DRAP that are set forth in the subject application. It is further noted that the Genbank entry includes the following "Comment:"

PROVISIONAL REFSEQ: This record has not yet been subject to final NCBI review. This record is derived from an annotated genomic sequence. See Genbank entry NM_168014 "Comment" at page 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/031,893
				Filing Date	July 19, 2002
				First Named Inventor	Andrew Eisen
				Art Unit	1652
				Examiner Name	Richard G. Hutson
Sheet	1	of	1	Attorney Docket Number	02567/100F496-US2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US-2003/014495 A1	07/31/2003	Andrew Eisen	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	2.	Adams et al. (2000). "The genome of <i>Drosophila melanogaster</i> . <i>Science</i> , 287: 2185 (ABSTRACT and Genbank entry NM_160814).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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